

**REMARKS**

Claims 1-20 were pending at the time of the Office Action. In this Amendment, claims 1, 7-8, 11-14 and 16 have been amended to clarify the subject matter thereof. Support is found in, for example, paragraphs [0029]-[0032] of the application-as-published, US2007/0116244. Care has been exercised not to introduce new matter. Claims 1-20 are currently pending for examination, of which claims 1 and 8 are independent.

**REJECTION UNDER 35 U.S.C. §112**

Claims 1 and 8 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner indicated the term “in case that,” and “so as to,” in claims 1 and 8 as unclear. In response, the allegedly unclear term “in case that,” and “so as to,” in claims 1 and 8, has been changed to “if” and “to.” In view of amendments to claims 1 and 8, the rejection is respectfully traversed.

**REJECTION UNDER 35 U.S.C. §102**

Claims 1-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kokkinen (U.S. Publication No. 2005/0105706 A1, hereinafter “Kokkinen”). The rejection is respectfully traversed for the following reasons.

Kokkinen fails to disclose limitations of claims 1 and 8 regarding “PA message including an identification number of the receiving terminal.”

Kokkinen’s MSC 224 recognizes that the called party number subscribes to the intelligent network service, and provides the called party number and the calling party number to the SCP

345. The SMP 355 selects an appropriate message, announcement or output (message) delivered to a calling party based on the called party number, and the selected message is provided to the calling party. Kokkinen's message, selected by the service managing point (SMP) 355, to which the Examiner referred to as allegedly disclosing the "Play Announcement message" of claims 1 and 8, does not include any called party number. Kokkinen never delivers the called party number together with the message, but merely uses the called party number for choosing an appropriate message. (See Kokkinen's paragraphs [0035] and [0052]-[0058] In contrast, claims 1 and 8 require the PA message to include an identification number of the receiving terminal. As disclosed in FIG. 3, one non-limiting embodiment of what is recited in claims 1 and 8, the SCP 302 receives information on the receiving terminal 312 from the MSC 300 and transmits a PA message including an ID number of the receiving terminal 312. (See paragraphs [0029]-[0032] of the application-as-published)

As anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), based on the foregoing, it is submitted that Kokkinen does not anticipate claims 1 and 8. Thus, claims 1 and 8 and claims dependent thereupon have novelty over Kokkinen.

### **Conclusion**

In view of the above amendments and remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

**Application No.: 10/582,504**

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Hosang Lee  
Registration No. L00,295

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 BKS:HL  
Facsimile: 202.756.8087  
**Date: July 20, 2010**

**Please recognize our Customer No. 20277  
as our correspondence address.**